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## **I. TANF STATE PLAN**

### **TEMPORARY ASSISTANCE**

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 established the TANF (Temporary Assistance for Needy Families) program to provide assistance to needy families with children and provide parents with job preparation, work, and support services. The Deficit Reduction Act (DRA) of 2005 re-authorized the Temporary Assistance for Needy Families program. The final rule implemented changes to the TANF program as outlined in the DRA of 2005. The TANF program in Missouri is named Temporary Assistance.

### **PURPOSES OF THE TEMPORARY ASSISTANCE PROGRAM**

The purposes of the Temporary Assistance program are to:

1. Provide assistance to needy families with children and provide parents with assistance in becoming job ready, job preparation, work, and support services so that children may be cared for in their own homes or in the homes of relatives and parents may leave the program and become self-sufficient.
2. End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.
3. Prevent and reduce the number of non-marital births, with special emphasis on teenage pregnancies, and establish annual numerical goals for preventing and reducing the incidence of these pregnancies.
4. Encourage the formation and maintenance of two-parent families.

Cash assistance benefits will be administered uniformly in all political subdivisions in Missouri except as may be specified elsewhere in this plan.

### **DEFINITIONS**

Adult -- an individual who is not a minor child.

Assistance -- Cash payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs, and other programs and services which meet the purposes of the Temporary Assistance program as described above. Eligibility for cash payments, vouchers and other forms of benefits designed to meet a family's ongoing basic needs is based on a statewide Standard of Need and resource maximum. Transitional Employment Benefits are designed to support working families during their transition into employment and the loss of eligibility for Temporary Assistance.

Director -- Director of the Missouri Family Support Division

Division -- the Missouri Family Support Division

Needy Family -- A home in which a family setting is maintained or is in the process of being established as evidenced by the assumption or continuance of responsibility for the child(ren) by a parent or other caretaker relative. The family meets the eligibility criteria for Temporary Assistance as outlined in Section II: Outline Of The Temporary Assistance Cash Program of the TANF State Plan.

Needy Parent -- the custodial parent or non-custodial parent of the child(ren) receiving assistance, whether or not that parent resides in the home. The parent meets the eligibility criteria for Temporary Assistance as outlined in Section II: Outline Of The Temporary Assistance Cash Program of the TANF State Plan.

Head of Household -- the payee in a case to which assistance is provided.

Minor Child -- an individual who has not attained 18 years of age; or has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

Standard Work Exemption – An amount for each employed person for all employment related expenses except child care. It includes employment related expenses such as taxes, transportation to and from work, work clothing, etc. The standard work exemption is \$90.

\$30 Plus 1/3 Disregard – An amount for each employed person that is deducted after deducting the standard work exemption from adjusted gross income. The \$30 plus 1/3 disregard is allowed for individuals that are employed when they apply for Temporary Assistance. The \$30 plus 1/3 disregard is allowed for 4 consecutive months. Once the \$30 plus 1/3 disregard is applied for 4 consecutive months, the individual is not eligible for the \$30 plus 1/3 disregard until the individual has not received Temporary Assistance benefits for 12 consecutive months. An applicant's eligibility is determined without the \$30 plus 1/3 disregard unless the applicant received a Temporary Assistance grant in at least one of the 4 months prior to the month of application, except when the applicant previously received the \$30 plus 1/3 disregard for 4 consecutive months and has not been off Temporary Assistance for 12 consecutive months.

\$30 Disregard – After receiving the \$30 plus 1/3 disregard for 4 consecutive months, the participant is eligible for a continuance of the \$30 earned income disregard for the next 8 months. The 8-month period begins with the month following the fourth consecutive month in which the \$30 plus 1/3 disregard is applied. It ends with the eighth consecutive month regardless of whether the \$30 disregard is actually applied to the person's earned income.

Two-Thirds Disregard – An amount for each employed person that is deducted from the adjusted gross income for 12 consecutive months. Once the two-thirds disregard is applied for 12 consecutive months, the individual is not eligible for the two-thirds disregard until the individual has not received Temporary Assistance for 12 consecutive months. The two-thirds disregard is allowed only when an active Temporary Assistance individual becomes employed. An applicant's eligibility is determined without the two-thirds disregard. If an applicant received a Temporary Assistance grant in at least one of the 4 months prior to the month of application, they can receive the two-thirds disregard for the remainder of the 12 consecutive months, except when the applicant previously received the \$30 plus 1/3 disregard

for 4 consecutive months and has not been off Temporary Assistance for 12 consecutive months.

## **II. OUTLINE OF THE TEMPORARY ASSISTANCE CASH PROGRAM**

### **ELIGIBILITY REQUIREMENTS**

1. The eligibility requirements for the Temporary Assistance cash program shall include:
  - a) Requiring an applicant for or recipient of cash assistance to participate in work activities as defined in this plan with exclusions as provided;
  - b) Requiring a recipient of assistance and each dependent child to be:
    - 1) a resident of the State of Missouri; and
    - 2) a citizen of the United States; or
    - 3) a qualified alien defined in 8 *United States Code* section 1641 residing in the United States for a period of five (5) years on or after August 22, 1996, except as provided in 8 *United States Code* section 1622(b).
    - 4) Public Law 111-118 enacted on December 19, 2009 provides that Iraqi and Afghan Special Immigrants are eligible for benefits to the same extent and for the same period as refugees pursuant to Section 207 of the Immigrations and Nationality Act. The new legislation supersedes Public Law 110-161 and Public Law 110-181, which granted certain Iraqi and Afghan immigrants special immigrant status under section 101(a)(27) of the Immigration and Nationality Act (INA) effective December 26, 2007 and was time limited. Provided that other eligibility requirements are met, Iraqi and Afghan Special Immigrants are eligible for benefits indefinitely.
  - c) Requiring an applicant for assistance to provide all Social Security numbers for each parent, caretaker, and child and requiring the applicant for or recipient of assistance to cooperate with Family Support Division to obtain Social Security numbers;
  - d) The assistance provided under the Temporary Assistance Program is used for the benefit of the child or children;
  - e) Recipients of Supplemental Security Income (SSI) shall not be eligible for Temporary Assistance. Their income, expenses, and resources are excluded when determining household eligibility. They are excluded for purposes of determining household size; and
  - f) Meeting other eligibility requirements contained in this plan.
2. Application for benefits and timely investigation of eligibility for benefits will be consistent with sections 208.060 and 208.070, RSMo. In Temporary Assistance cases where an eligible individual does not receive the first payment for the month in which the thirtieth day after application falls, a delayed payment will be made for that month and any later months that occur before the application was approved.
3. The real and personal property considered in determining eligibility for Temporary Assistance shall be as follows:
  - a) Real or personal property of any kind or character that is not excluded that the participant owns or possesses, has an interest in, of which s/he is the record or beneficial owner, less encumbrances of record.
  - b) An applicant may not own personal property with equity greater than one thousand dollars (\$1,000), and a participant who signs an individual employment plan may not own personal property with equity greater than five thousand dollars (\$5,000).

- c) Any combination of more than one thousand dollars (\$1,000) for applicants and five thousand dollars (\$5,000) for participants who have signed individual employment plans will make the family ineligible.
- 4. In determining eligibility for Temporary Assistance benefits real property that the family is making a good faith effort to sell shall be excluded. A claimant must provide proof of good faith effort as requested by Family Support Division. Good faith effort to sell includes the following:
  - a) Listing the real property with a reputable real estate agent and cooperating in marketing the property. Cooperation in marketing the property includes acts such as showing the property and setting a realistic sales price;
  - b) Publicly advertising the property for sale on no less than a weekly basis in a general newspaper, instead of listing the property with a reputable real estate agent;
  - c) Accepting reasonable purchase offers, for example, reflecting a reasonable market value; and
  - d) Initiating any legal action necessary to force a sale when other owners outside the Temporary Assistance cash assistance group do not wish to sell.
- 5. “Earned Income” encompasses income in cash or in kind earned by a needy individual through the receipt of wages, salary, commissions, or profit from activities in which s/he is engaged as an employee or as a self-employed individual.
- 6. Temporary Assistance shall be granted on behalf of an eligible child or children in otherwise eligible families. Temporary Assistance may be granted to the parents or other needy relatives caring for a child or children meeting all eligibility criteria, and who:
  - a) Are deprived of parental support or care for the following reasons:
    - 1) Death;
    - 2) Continued absence from or never living in the home;
    - 3) Physical or mental incapacity of a parent;
    - 4) Divorce/separation;
    - 5) Desertion or abandonment;
    - 6) Need; or
    - 7) Confinement in a penal, medical, or custodial institution.
  - b) The relative with whom a child may be living, in order to receive Temporary Assistance, including father, mother, grandfather, grandmother, brother, sister, stepfather or stepmother (but not their parents), stepbrother, stepsister, uncle, aunt, first cousin, first cousin of a parent, nephew, niece, adoptive father or adoptive mother, grandfather-in-law or grandmother-in-law (meaning the spouse of a second marriage of one of the child’s biological grandparents), great-grandfather or great-grandmother (including great-great-grandfather or great-great-grandmother), brother or sister of half blood, adoptive brother or adoptive sister, brother-in-law or sister-in-law, uncle or aunt of the half blood, uncle-in-law or aunt-in-law, great-uncle or great-aunt (including great-great-uncle or great-great-aunt), and other relatives by adoption, in addition to those specifically mentioned here, may be considered eligible payees within the same degree of relationship as apply to blood relatives. The biological relatives of an adopted child may also continue to be eligible payees. A legal guardian may also serve as a payee for Temporary Assistance, and if the legal guardian is otherwise eligible, may be

eligible for a cash payment.

7. Home is interpreted to mean a family setting maintained or in the process of being established as evidenced by the assumption or continuance of responsibility for the child.

Usually the child shares the family household with the parent or relative. A home exists as long as the parent or relative takes responsibility for the care and control of the child, even though circumstances may require temporary absence of either the child or the parent or relative from the customary family setting.

8. For the purpose of the administration of Temporary Assistance payments shall be defined as payments by electronic or other means made to the payee at regular intervals.

Temporary Assistance benefits will be paid monthly.

- a) Temporary Assistance benefits are delivered by Electronic Benefits Transfer or are directly deposited into a bank account and are made available monthly in advance. The schedule for availability of benefits is:

- 1) Benefits for cases in which the payee's birth month is January through March shall be available on the first day of the month;
- 2) Benefits for cases in which the payee's birth month is April through June shall be available on the second day of the month;
- 3) Benefits for cases in which the payee's birth month is July through September shall be available on the third day of the month; and
- 4) Benefits for cases in which the payee's birth month is October through December shall be available on the fourth day of the month.

9. Determining the Amount of Cash Payments:

- a) The following persons are considered members of the household for purposes of determining household size and Temporary Assistance grant, if eligible: eligible children under the age of 18, or age 18 and in secondary school or the equivalent vocational or technical school if expected to graduate; natural or adoptive parents of one or more of the eligible children; and any needy non-parent caretaker relative or related or unrelated guardian. The non-parent caretaker relative or the guardian, if found to be eligible for inclusion, has the option to be excluded from the assistance group.

- b) Consideration of Available Income

- 1) All income of the following persons in the household shall be considered in determining whether the children (including a stepchild and adopted child) are in need and, if so, the amount of that need:
  - (A) Eligible children;
  - (B) Biological or adoptive parents of one or more eligible children;
  - (C) Needy non-parent caretaker relative, or related or unrelated guardian, if s/he desires to be included in the assistance group and is eligible for inclusion;
  - (D) Income of a stepparent living in the same home as such child which exceeds the sum of the first 90 dollars of the stepparent's earned income, the standard of need, payments by the stepparent to individuals claimed by him/her as dependents, and

payments by the stepparent of court ordered alimony or child support;

(E) A biological or adoptive brother or sister of an eligible child, if the brother or sister meets certain conditions and is living in the home;

(F) With respect to an eligible child who is living with a parent or legal guardian who is under age 18, the income of such minor parent's parents who are living in the home shall be included to the same extent that the income of a stepparent is included. The minor parent's parents' earned income shall be disregarded up to 100% of the federal poverty level; and

(G) Income of all other persons in the household will be considered in the amount made available to the household.

2) In computing the income of an applicant or program participant or of the household of which s/he is a member only the income that is available during the period under consideration shall be taken into account.

10. Earned Income Exemption: In determining the need and amount of grant for applicants for or program participants in the Temporary Assistance program earned income exemptions will apply.

11. 185% Test: No family shall be eligible for Temporary Assistance benefits if for that month the total income of the family (other than Temporary Assistance benefits) without application of the earned income disregards equals or exceeds one hundred eighty five percent (185%) of the Standard of Need for a family of the same composition. There are no disregards or deductions allowed for the 185% Test other than overhead expenses for self-employment.

12. Standard of Need Test: No family shall be eligible for Temporary Assistance benefits if for that month the total income of the family (other than Temporary Assistance benefits) without application of the earned income disregards equals or exceeds the Standard of Need for a family of the same composition. The \$90 standard work exemption, child care costs, and overhead expenses for self-employment are deducted from gross earnings in the Standard of Need Test.

13. Percentage of Need Test: No family shall be eligible for Temporary Assistance benefits if for that month the total income of the family (other than Temporary Assistance benefits) after application of the earned income disregards equals or exceeds 34.526% of the Standard of Need. The \$90 standard work exemption, child care costs, and two-thirds disregard or \$30 plus 1/3 disregard, or \$30 disregard, and overhead expenses for self-employment are deducted from gross earnings in the Percentage of Need Test.

14. When considering an application for Temporary Assistance the income tests must indicate income below the respective standard. If determined eligible after the application of the tests in paragraphs 11, 12, and 13, the grant will be the deficit determined in the Percentage of Need Test.

15. In the payment of Temporary Assistance benefits the amount shall always be lowered to the nearest dollar interval.



16. In Temporary Assistance cases the initial assistance payment benefit must be prorated when the case is approved in the same month as the filing of the application.
17. Restitution and recovery may be required if at any time it is determined that a program participant has received benefits to which s/he was not entitled because of a state or federal statutory or regulatory requirement.
18. Transitional Employment Benefit is a \$50 payment to families with earned income who are no longer eligible for Temporary Assistance benefits due to an increase in income, removal of an earnings disregard or an allowable expense deduction, or a household composition change which causes ineligibility due to income guidelines for Temporary Assistance provided—
  - (A) The family received Temporary Assistance cash benefits for at least one (1) month;
  - (B) There is a work eligible individual, as defined in 45 C.F.R.261.10, included in the family;
  - (C) Work eligible individuals in the family continue to meet the minimum work participation hours as outlined in 42 U.S.C. 607;
  - (D) The family continues to meet all other eligibility requirements contained in 13 CSR 40-2.300 through 13 CSR 40-2.370 with the exception of income.

All earned income is disregarded in determining eligibility for Transitional Employment Benefit, but the eligible family must continue to meet the regular Temporary Assistance 185% Test, Standard of Need Test, and Percentage of Need Test.

The family is eligible to receive the fifty dollar (\$50.00) Transitional Employment Benefit payment for up to six (6) consecutive months as long as the family meets the requirements in subsections (B), (C), and (D).

There is no limit on the number of times a family may receive Transitional Employment Benefit payments as long as the family loses eligibility for Temporary Assistance as outlined above.

The Transitional Employment Benefit is not included in the 60-month lifetime limit for Temporary Assistance as referenced in 42 U.S.C. 608.

Families who receive Transitional Employment Benefits shall not assign to the Family Support Division in behalf of the state any rights to support from any other person on behalf of any member of the family.

## **APPEAL PROCESS**

If a Temporary Assistance application is not acted upon within a reasonable length of time after the filing of the application or is denied in whole or in part, or if any benefits are canceled or modified and concurrently with each reinvestigation, the applicant or program participant shall be notified in writing by the Family Support Division of his/her right to appeal to the Director. However, those program participants receiving the maximum payment allowed by law will not be notified of their right to appeal on the basis of the amount of grant following the completion of a reinvestigation of their case. Procedure for the conduct of the hearings shall be simple, informal, and summary, but the rules of evidence as applied to civil cases in Missouri shall be applied.

Within a reasonable time after the conclusion of a hearing the Director will render a decision, which will include a statement of the Findings of Fact and Conclusions of Law. A copy of the decision will be sent to the appellant by registered United States mail. A copy will also be mailed to the county Family Support Division office and to any duly authorized representative of the appellant.

There is established the position of state hearing officer within the Division of Legal Services in order to comply with all pertinent federal and state laws and regulations. State hearing officers shall have authority to conduct state level hearings of a pre-determination or appeal nature; they shall serve as direct representatives of the Director. All decisions issued as a result of the hearing so conducted by the hearing officers shall be in the name of the Director. Although the hearing officers may be assigned to a certain area, this authority to conduct hearings shall be statewide. The authority of the hearing officers to conduct hearings shall apply to all programs administered by the Director.

## **CONFIDENTIALITY**

Officers and employees of the state of Missouri are prohibited, except as described below, from disclosing any information obtained by them in the discharge of their official duties relative to the identity of applicants for or recipients of benefits or the contents of any records, files and communication except in proceedings where the eligibility for benefit level of a recipient is called into question. The Family Support Division maintains a monthly report showing name and address of all recipients in each resource center and customer service center of the Family Support Division.

No person, association, firm, corporation or other agency shall make use of any name or list of names of recipients of cash assistance.

Information can be released for the administration of any Federal or federally assisted program which provides assistance in cash, in-kind, or services directly to individuals on the basis of need.

## **TEMPORARY ASSISTANCE FAMILIES THAT DO NOT INCLUDE A MINOR CHILD**

Family Support Division shall not provide assistance to or on behalf of an eligible family unless the family includes a child under the age of 18 who resides with a custodial parent, other eligible adult caretaker-relative of the child, or a child under the age of 19 and a full-time student in a secondary school (or at the equivalent level of vocational or technical training) if the child may reasonably be expected to complete the program of the secondary school (or vocational or technical training).

## **TEENAGE PARENTS NOT LIVING IN ADULT SUPERVISED SETTINGS**

Family Support Division shall not provide assistance to an individual who has not attained 18 years of age, is not married, and has a minor child in his/her care if the individual and the minor child do not reside in a place of residence maintained by a parent, legal guardian, or other adult relative as such parent's, guardian's, or adult relative's home. Family Support Division shall provide or assist the individual in locating a maternity home or other appropriate adult-supervised supportive living arrangement, taking into account his/her needs and concerns unless Family Support Division determines that his/her current living arrangement is appropriate, and thereafter shall require that s/he and his/her minor child reside in said living arrangement as a condition of the continued receipt of assistance or in an alternative appropriate arrangement should circumstances change and the current arrangement ceases to be appropriate. Family Support Division may determine that it is in the best interest of the minor child to waive the requirement of residing in a place of residence maintained by a parent, legal guardian, or other adult relative of the individual.

## **PAYMENT OF TEMPORARY ASSISTANCE ON BEHALF OF MINOR CHILDREN**

Family Support Division shall not provide assistance for a minor child who has been or is expected by a parent or other caretaker relative of the child to be absent from the home for a period exceeding 90 consecutive days. Family Support Division will not provide assistance to a parent or other caretaker relative of a minor child who fails to notify Family Support Division of the absence of the minor child from the home for a period not exceeding 90 consecutive days by the end of the five-day period that begins with the date when it becomes clear to the parent or relative that the minor child will be absent for this period.

## **PROHIBITION AGAINST PAYMENT OF TEMPORARY ASSISTANCE TO A PERSON CONVICTED OF CERTAIN FELONY DRUG OFFENSES**

The State will not provide assistance to or on behalf of an individual convicted under federal or state law of any offense classified as a felony by the law of the jurisdiction involved and having as an element the possession, use, or distribution of a controlled substance, as defined in 21 *United States Code* section 802(6). The amount of assistance otherwise required to be provided under the program to the family members of an individual to whom this paragraph applies shall be reduced by the amount that would have otherwise been made available to the individual convicted of such an offense. The prohibition contained within this paragraph shall not apply to convictions arising out of offenses occurring prior to the effective date of United States Public Law 104-193 (the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) on August 22, 1996.

Every individual applying for assistance shall be required during the application process to state in writing whether the individual or any member of his/her household has been convicted of a crime described in this paragraph.

#### **PERSON FOUND TO HAVE FRAUDULENTLY REPRESENTED RESIDENCE TO OBTAIN ASSISTANCE IN TWO OR MORE STATES**

Family Support Division shall not provide assistance to an individual during the ten-year period beginning on the date the individual is convicted in federal or state court of having made a fraudulent statement or representation regarding his/her place of residence in order to receive assistance simultaneously from two or more states under programs that are funded under 42 *United States Code* Title IV Section 601 et seq. or 42 *United States Code* Title XIX Section 1396 et seq., or benefits in two or more states under the Supplementary Security Income program under 42 *United States Code* Title XVI Section 1381 et seq. The preceding sentence shall not apply with respect to a conviction of an individual for any month beginning after the president of the United States has granted a pardon with respect to the conduct that was the subject of the conviction.

#### **PERSON FLEEING TO AVOID PROSECUTION, CUSTODY, OR CONFINEMENT AFTER CONVICTION**

Family Support Division shall not provide assistance to an individual who is:

- a) Fleeing to avoid prosecution, custody, or confinement after conviction under the laws of the place from which s/he flees for a felony or an attempt to commit a felony under the laws of the place from which s/he flees (or a high misdemeanor, as in the case of New Jersey).
- b) Violating a condition of probation or parole imposed under federal or state law. The preceding sentence shall not apply with respect to conduct of an individual for any month beginning after the president of the United States has granted a pardon with respect to the conduct.

#### **ASSIGNMENT OF CERTAIN SUPPORT RIGHTS**

As a condition of eligibility for receipt of assistance a family member shall assign to the Family Support Division on behalf of the State of Missouri any right to support from any non-custodial parent of the children receiving assistance that such individual may have on his/her own behalf or on behalf of any other family member for whom the individual is applying for or receiving such assistance. The amount assigned is the amount of assistance while the family is participating in the program. The assignment does not cover any assistance provided after the family leaves the program. Application for assistance or participation in the Temporary Assistance program shall constitute an assignment to the State of Missouri of support rights for Temporary Assistance. The assignment shall take effect when the applicant is determined eligible for assistance.

## **NONCOOPERATION WITH FAMILY SUPPORT DIVISION—CHILD SUPPORT**

If Family Support Division—Child Support or its designee determines that an individual is not cooperating with the state in establishing paternity or in establishing, modifying, or enforcing a support order regarding his/her child, and s/he does not qualify for a good cause exception, the Family Support Division shall deduct 25% from the assistance that would otherwise be provided to his/her family. Good cause for refusing to cooperate exists when one or more of the following circumstances occur:

1. Cooperation by the individual may reasonably be anticipated to result in:
  - a) physical or emotional harm to the child;
  - b) physical or emotional harm to the individual so serious that it reduces his/her capacity to care adequately for the child; or
  - c) physical or emotional harm to the individual as a result of domestic violence.
2. Establishing paternity or securing support will be detrimental to the child because:
  - a) the child was conceived as a result of forcible, not statutory, rape or incest;
  - b) legal proceedings for adopting the child are pending before a court; or a public or private social agency is currently assisting the individual to resolve the issue of whether to keep the child or relinquish him/her for adoption, and the discussions have not gone on for more than three months.

## **FAMILIES MOVING INTO THE STATE FROM ANOTHER STATE**

Families moving into the State from another state will be eligible for assistance in the same manner as any other resident of the State except that the State will not grant assistance for any month for which another state pays the family assistance under its Temporary Assistance for Needy Families (TANF) program.

## **TIME LIMITS FOR RECEIPT OF TEMPORARY ASSISTANCE**

The Family Support Division shall not provide cash assistance to or on behalf of a family that includes an adult who has received assistance for a total of five years (60 cumulative months, whether or not consecutive) except in instances specified below.

Any month of receipt of assistance by an individual:

- a) when s/he was participating in a wage supplementation program; or
- b) who is a minor and not the head of household nor married to the head of household.

NOTE: The following will receive benefits as a Separate State Program (Section IV of this Plan), and shall not have their months of receipt of assistance count towards the five-year (60 months) lifetime limit. Any individual receiving assistance:

- a) who is a payee age 60 years of age or older; or
- b) who is permanently disabled as determined by Old Age Survivor's/Disability Insurance (OASDI), Supplemental Security Income (SSI), or employer sponsored disability insurance, or
- c) who is a teen parent head of household under the age of 18 participating in an educational activity; or

- d) who is needed in the home to care for a disabled individual who has a physical or mental handicap shall not have a lifetime limit.

The Family Support Division will extend assistance to a family beyond the five-year lifetime limit only:

1. By reason of hardship; or
2. If the family includes an individual who has been battered or subjected to extreme cruelty. An individual has been battered or subjected to extreme cruelty if s/he has been subjected to:
  - a) Physical acts that resulted or threatened to result in physical injury to him/her;
  - b) Sexual abuse;
  - c) Sexual activity involving a dependent child;
  - d) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
  - e) Threats of or attempts at physical or sexual abuse;
  - f) Mental abuse; or
  - g) Neglect or deprivation of medical care.

The Family Support Division will only extend assistance to a family beyond the five-year lifetime limit to up to 20% of its caseload.

Once an adult in the family has reached 60 cumulative months of assistance Family Support Division will determine through a formal evaluation process whether or not the hardship extension is granted to a specific family. Reasons for a hardship extension may include:

- a) Domestic violence;
- b) Substance Abuse;
- c) Mental Health;
- d) Family Crisis;
- e) Active Children Service and Income Maintenance case; or
- f) Pending review.

## **EARNED INCOME TAX CREDIT**

Family Support Division shall encourage families receiving Temporary Assistance to make full use of the Federal Earned Income Credit.

## **ELDERCARE WORKFORCE**

The Family Support Division does not intend to target training for individuals seeking and maintaining employment specifically in the eldercare workforce. Training may be available in some areas for Certified Nurse Assistant (CNA) or other job classifications that are consistent with employment in the Eldercare Workforce.

## **ASSESSMENT AND INDIVIDUAL EMPLOYMENT PLANS**

### **ASSESSMENT**

The Family Support Division shall make an initial assessment of each parent or needy caretaker relative at each Temporary Assistance application, reinvestigation or interim change to determine if the individual(s) meets an exemption, exclusion, or are work ready.

Parents and needy caretaker relatives will not be referred for work participation services in the following situations:

- Child only cases;
- Parents and needy caretaker relatives exempt for children under the age of 12 months;
- Parents and needy caretaker relatives who are permanently disabled;
- Parents and needy caretaker relatives who are 60 years of age or older;
- Parents and needy caretaker relatives who are needed in the home to care for a disabled individual; or
- Parents and needy caretaker relatives who received 60 months Temporary Assistance and are currently extended due to an existing hardship and not employment and training ready.

### **INDIVIDUAL EMPLOYMENT PLAN**

On the basis of the above assessment, parents and needy caretaker relatives who are not otherwise exempt or temporarily excluded from participation will, in negotiation with a case manager, develop an individual employment plan to:

- Assist individuals in overcoming barriers to employment by developing a job readiness plan.
- Provide referrals to mental health providers, substance abuse service providers, domestic violence service providers, support groups and other treatment services.

Work participation services will include, but are not limited to:

- Development of service/employability plan;
- Job readiness workshop activities;
- Skills training;
- Job Search assistance;
- Vocational skill assessments;
- Authorization of work related expenses and/or transportation expenses;
- Assistance with locating child care providers;
- Job development; and
- Development of work experience and transitional job opportunities.

Unless expressly provided in the plan a parent or caretaker receiving assistance must engage in work activities when the Family Support Division has determined that he/she is ready to engage in work. The purpose of work participation services is to provide the necessary services and supports to assist Temporary Assistance participants to be successful in obtaining employment that will lead to self-sufficiency.

The Family Support Division requires that the case manager collaborate with other human service agencies for the purpose of referral of participants to appropriate resources and services to achieve the goal of employment and economic self-sufficiency. This collaboration is to be structured to include contacts and an infrastructure to facilitate access by Temporary Assistance participants and their families.

## **WORK ACTIVITIES AND WORK REQUIREMENTS**

Agencies that contract with Family Support Division for work participation services are responsible for placing families referred to them by Family Support Division in a countable work activity as outlined below. Federal, state and agency policy related to work activities, hours of participation, exemptions, exclusions, and good cause for not participating in a work activity are followed. In Missouri, work participation services are called Missouri Work Assistance (MWA).

### **WORK ACTIVITIES**

Core Work Activities are:

1. Unsubsidized employment - employment in which the wages are not supported by federal funds.
2. Subsidized private sector employment - employment in which wages are supported by federal funds.
3. Subsidized public sector employment - employment in which wages are supported by federal funds.
4. On-the-job training (OJT) - Public or private employment for an individual to receive hands-on training at an employer's place of business. Reimbursement to the employer is through federal funding.
5. Job search and job readiness assistance - Activities designed to prepare an individual to enter the workplace and to learn behaviors and attitudes necessary to be successful on the job. Activities may include interview training, application and resume preparation, problem solving, life skills training, and short-term substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise employable. Because of Missouri's designation as a Needy State this work activity may be allowed for up to 12 weeks (240 or 360 hours based on hourly requirements) within the preceding 12 months.
6. Work experience (including work associated with the refurbishing of publicly assisted housing) - An unpaid assignment for individuals who lack previous employment experience and/or job readiness and need certain skills in order to be successful in unsubsidized employment.
7. Community service program – A structured program in which Temporary Assistance recipients perform work for the direct benefit of the community under the auspices of public or nonprofit organizations. Community service programs are limited to projects that serve a useful community purpose. Community service programs are an unpaid



assignment to improve the employability of individuals by gaining skills and work experience.

8. Vocational Education and Training not to exceed a 12 month lifetime limit - Participation in programs offered through colleges, universities, community colleges, or other entity offering a course of study that leads toward a degree, certificate or license including a baccalaureate or advanced degree.

Non-Core Work Activities are:

1. Job skills training directly related to employment – Training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.
2. Education directly related to employment – Education related to a specific occupation, job, or job offer, including a course of study leading to a baccalaureate or other advanced degree.
3. Satisfactory attendance at secondary school or in a GED program – Regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

## **WORK ACTIVITIES – SINGLE PARENT FAMILIES**

An individual in a single-parent family is engaged in work if s/he participates an average of 30 hours per week. At least 20 of the 30 required hours must be in core work activities or the participant can be deemed to have met the required hours by combining the Temporary Assistance grant and Food Stamp benefits and dividing the total by the minimum wage minus child support received. Deeming occurs for the activities of Work Experience and Community Service Program only. A single-parent head of household under 20 years of age is deemed to be engaged in work for a month if the individual maintains satisfactory attendance in a secondary school or a course of study leading to a certificate of general equivalence during the month, or participates in education directly related to employment for an average of 20 hours per week.

A single custodial parent or caretaker relative with a child under age six is engaged in work activities if the individual participates in core work activities for at least an average of 20 hours per week.

## **WORK ACTIVITIES – TWO PARENT FAMILIES**

If a Temporary Assistance two-parent family receives federally funded child care assistance, and an adult in the family is not disabled or caring for a severely disabled individual, both parents must participate in work activities for a combined minimum of 55 hours averaged per week within a month. At least 50 of the 55 required hours must be in core work activities. The first parent will be required to participate for a minimum of 35 hours per week, and the second parent will be required to participate for a minimum of 20 hours per week.

NOTE: Two parent families are solely state funded in Missouri, except for those receiving Transitional Employment Benefits.

## **DISPLACING EXISTING WORKERS THROUGH WORK ACTIVITIES ASSOCIATED WITH THE TEMPORARY ASSISTANCE PROGRAM**

An adult receiving assistance through the Temporary Assistance program may fill a vacant position to engage in work activities. For paid activities, the adult must be guaranteed wages and benefits comparable to employees in like positions. An adult shall not be employed or assigned to a work activity if another individual is on layoff from the same or any substantially equivalent job; the employer has terminated the employment of any regular employee, reduced the hours of such employee, or caused an involuntary reduction in its workforce in order to fill the vacancy with an adult taking part in a work activity; or the employment opportunity is created by a strike, lockout, or other bona fide labor dispute.

An individual who believes that s/he has been adversely affected by a violation of this requirement or the organization that is duly authorized to represent the employee shall be afforded an opportunity to grieve it. The individual or employee, or an organization that is authorized to represent the individual or employee, shall first attempt to remedy the alleged violation through a meeting with the employer within thirty (30) days of the request of the meeting. If the complaint is not resolved, the individual or employee may appeal to the Department of Labor and Industrial Relations commission. A hearing shall be conducted by the commission and a decision shall be rendered within forty-five (45) days of the hearing. If the individual or employee is aggrieved by the decision of the commission, s/he may file a petition for review in the circuit court in which s/he resides within thirty (30) days of the date of the decision. Nothing in this paragraph shall preempt or supersede any provision of a collective bargaining agreement. If there is an existing grievance procedure in a collective bargaining agreement, it must be followed. Nothing in this paragraph shall preempt or supersede any provision of state or local law that provides greater protection for employees from job displacement.

## **EXEMPTIONS FROM WORK ACTIVITIES**

The following individuals, if eligible for assistance, are exempt from participating in work activities but may voluntarily participate:

1. An individual claiming or receiving permanent and total disability and who has applied for or is receiving Old Age Survivor's and Disability Insurance (OASDI) benefits, Supplemental Security Income (SSI) benefits, or employer-sponsored disability insurance.
2. Caretaker-payees 60 years of age or older.
3. Individuals who are needed in the home to care for a disabled individual who has a physical or mental handicap.
4. A single custodial parent caring for a child who has not attained 12 months of age.

## **EXCLUSIONS FROM WORK ACTIVITIES**

Individuals, if eligible for assistance, may be temporarily excluded from participating in work activities if they are victims of domestic violence; temporarily disabled; pregnant and in the third trimester of the pregnancy; lack transportation or child care; or if they actively participate with a Children's Division plan.

## **GOOD CAUSE FOR NOT PARTICIPATING IN A WORK ACTIVITY**

If an individual in a family subject to work participation requirements fails to cooperate in developing the individual employment plan, without good cause fails to comply with the individual employment plan, or without good cause refuses to engage in a required work activity, the Family Support Division shall reduce the amount of assistance otherwise payable to the family by 25%.

The following constitute good cause for failure to participate or accept employment:

1. The employment would result in the family of the recipient experiencing a net loss of cash income. Net loss of cash income results if the family's gross income less necessary work-related expenses is less than the cash assistance the individual was receiving when the offer of employment was made. Gross income includes, but is not limited to, earnings, unearned income, and cash assistance;
2. Court-required appearance or incarceration;
3. Emergency family crisis that renders participation unreasonable;
4. Breakdown in transportation arrangements with no readily accessible alternative means of transportation;
5. Breakdown in child care arrangements or availability of child care not suited for special needs of the child for whom it is intended; or
6. Lack of identified social services necessary for participation and set forth in the individual employment plan.

If the individual is a single custodial parent caring for a child under age six and if the individual has demonstrated the inability to work as determined by the Family Support, the Family Support Division shall not reduce assistance because of the individual's refusal to engage in required work because of one or more of the following reasons:

- 1) Unavailability of appropriate child care within reasonable distance from the individual's home or work site;
- 2) Unavailability or unsuitability of informal child care by a relative or under other arrangements; or
- 3) Unavailability of appropriate and affordable child care arrangements.

### **III. MOE SUPPORTED PROGRAMS**

Missouri provides for multiple programs for Missouri families that meet the four purposes of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Funding may be used to support and encourage community development of local initiatives relating to services for families. Other program services may be provided to needy families or needy parents as defined elsewhere in the Plan.

#### **Programs that support families:**

Basic Assistance – same as Temporary Assistance. Eligibility information regarding Temporary Assistance can be found in Section II of the TANF State Plan.

Child Care – Income eligibility for child care exists when the adjusted gross income does not exceed the 127% poverty maximum based on the household size. Temporary Assistance households, defined as Temporary Assistance cash cases or \$10.00 minimum pay cases, are automatically eligible for child care. For households who show a need for child care, but are engaged in an eligible need component for a limited number of hours, the Child Care application will include a statement to show how Child Care Assistance supports the family's employability plan. If participants are in educational components, they must be attending at least half time as defined by the facility. The participant must make satisfactory progress in the educational component and be able to document this progress. The course of study must be consistent with a reasonable goal as reflected in an individual employment plan/self-sufficiency pact. A reasonable goal is one that leads to employment and/or increases the family's self-reliance. Additionally, early childhood programs are provided to increase access to accredited facilities, increase licensed child care slots and provide early learning opportunities for eligible families with children up to the age when the child is eligible to enter kindergarten. These programs include Start-up and Expansion (must provide services to children eligible under the Child Care program), Accreditation Facilitation (must provide services to children eligible under the Child Care program), Stay at Home Parents (185% of the federal poverty level), and Early Head Start Programs (185% of the federal poverty level).

Summer Food Service Program: The Summer Food Service Program (SFSP) helps assure that eligible populations have access to nutritious meals during the summer months. When school is not in session, SFSP provides reimbursement to community agencies offering the required continuum of meals. Eligible participants include: children 0 through 18 years of age whose family incomes are less than or equal to 185 percent of the Federal Poverty Guidelines. SFSP contracts with schools and other community-based organizations to sponsor the local programs and provide meals that meet established guidelines. By increasing the nutrient intake of program participants, SFSP reduces their risk for health problems and enhances their learning capacities. The program also improves the quality of the summer programs offered in areas of economic need.

Food Bank(s): The Food Banks provide food to emergency food programs, which include local food pantries, soup kitchens, and short-term emergency shelters. Eligible participants include families with children 0 through 18 years of age whose family incomes are less than or equal to 185 percent of the Federal Poverty Guidelines.

Domestic Violence Crisis Services: Services include both shelter and non-residential domestic violence services: meeting the needs of families in a crisis by providing housing, counseling, health supplies, clothing, and related crisis services. All services are less than 120 days in duration. Eligible participants include families with children 0 through 18 years of age whose family incomes are less than or equal to 185 percent of the Federal Poverty Guidelines.

Homeless Shelters: Services include: shelter services, for less than 120 days, serving families facing an immediate homelessness crisis. Eligible participants include families with children 0 through 18 years of age whose family incomes are less than or equal to 185 percent of the Federal Poverty Guidelines.

#### Activities Promoting Responsible Fatherhood:

Character Education is a program that provides professional development for teachers, school personnel, and parents to enable them to meet Show-Me Standards for schools. This program is offered to all interested teachers, school personnel, and parents with no income or resource restrictions. By providing a good learning base and promoting and supporting children's learning, teachers, school personnel and parents encourage a delay in sexual activity, raise self-esteem, improve problem-solving and coping abilities, and promote goal setting and career choices.

Parents as Teachers is a program that focuses on teaching parents about child development and how to promote learning by their children. It provides activities they can do with their child, and provides resources to the parent not otherwise available. By participating in this program, parents are able to provide a safe, secure, structured home environment that promotes the family and responsible parenting. This program is available to all parents, regardless of income and/or resources.

Missouri Pre-School Program: This program provides funding for high quality early childcare programs to prepare children to enter school. Having quality early childhood education improves brain development and cognitive capacity in children, as well as improving language skills. This means the child is able to communicate his/her needs better, and the child will feel less frustration. Children will develop improved problem-solving skills and coping strategies. The child(ren) also thrive in a setting that provides safety and security and ensures they enter school ready to learn. Increased education also enhances the chances for healthy outcomes for all children. This program is available to all pre-school age children, regardless of income and/or resources. Active parental involvement is a criterion for the pre-school program, which includes participation in Parents as Teachers program and/or parental advisory committee.

The Family Support Division follows reporting requirements for prior approved (grandfathered) programs.

#### **IV. SEPARATE STATE PROGRAMS**

Missouri provides cash assistance to families meeting the following criteria through Separate State Program funding.

##### **A Permanently Disabled Individual**

Individuals claiming or receiving permanent and total disability for Old Age Survivor's and Disability Insurance (OASDI), Supplemental Security Income (SSI), or employer-sponsored disability insurance.

##### **Caretaker-Payee Age Sixty (60) or Older**

A caretaker-payee age sixty (60) years or older is exempt from work activities. If it is discovered that the individual would like to participate in a work activity, all supportive services will be available to the family.

##### **An individual who is needed in the home to care for a disabled individual who has a physical or mental handicap.**

In order to meet this exemption there must be no other satisfactory alternative plan or care available for the individual needing care. The need for care must be substantiated.

##### **Caretaker-payee who is a teen parent head of household or second parent under the age of 18 participating in an educational activity.**

Assistance is provided to a caretaker payee who is a minor/teen parent under age 18, including the month of the 18<sup>th</sup> birthday, who has a dependent child in his or her care.

##### **Families who receive cash assistance because they have a child in the home under the age of one year and have received this exemption for more than 12 months.**

Assistance is provided to families who have a child in the home under the age of one year when the family already received this exemption for more than 12 months. These individuals are exempt from work activities, but they are not exempt from the mandatory 60 month lifetime limit for the receipt of Temporary Assistance.

##### **Transitional Employment Benefit**

Transitional Employment Benefit is a \$50 payment to families with earned income who are no longer eligible for Temporary Assistance benefits due to an increase in income, removal of an earnings disregard or an allowable expense deduction, or a household composition change which causes ineligibility due to income guidelines for Temporary Assistance provided—

- (A) The family received Temporary Assistance cash benefits for at least one (1) month;
- (B) There is a work eligible individual, as defined in 45 C.F.R.261.10, included in the family;
- (C) Work eligible individuals in the family continue to meet the minimum work participation hours as outlined in 42 U.S.C. 607;

- (D) The family continues to meet all other eligibility requirements contained in 13 CSR 40-2.300 through 13 CSR 40-2.370 with the exception of income.

The family is eligible to receive the fifty dollar (\$50.00) Transitional Employment Benefit payment for up to six (6) consecutive months as long as the family meets the requirements in subsections (B), (C), and (D).

## **V. REDUCTION OF NON-MARITAL BIRTHS**

### **Transitional Living Placement**

The Department of Social Services (DSS) supports a Transitional Living Placement (TLP) for foster children and troubled youth. This is a two-tiered program. The first tier, Transitional Living Placement- Group Home (TLG) provides an opportunity for older youth to practice life skills in order to live successfully in the community. TLG allows the youth to apply life skills training to actual daily living in a supervised setting. Ideally, TLG offers the youth the opportunity to transition smoothly from a more restrictive environment to a less restrictive setting based on their readiness.

The second tier, Transitional Living Placement-Scatter Sites (TLSS), is for youth who demonstrate the ability to make responsible decisions, are able to maintain employment, and are aware of the financial and emotional demands of living on their own. These youth are able to practice 'real life' skills and prepare for their future in an apartment setting. Youth who participate in this tier receive support, but have less supervision than those in the TLG.

### **Community Partnerships/Missouri Caring Communities**

Caring Communities have six (6) core results that make up their framework. One of the core results is Youth Ready to Enter Productive Adulthood. One of the goals of this core result is to reduce teen pregnancy. Each Caring Community is responsible for each of the core results.

Caring Communities form partnerships within the community to facilitate programs designed to reach core results. Those partnerships include: state agencies/organizations, community organizations, neighborhoods, schools, parents and youth in the community.

As part of their strategy to help with reducing teen pregnancy, several programs have been implemented in the Caring Communities. Some of these programs include: education enrichment for teenage pregnancy prevention; safety net for families to enhance family living; school health services to improve family health; and mentoring programs directly aimed at youth.

### **Extended Women's Health Services Program**

As a part of Missouri's Medicaid 1115 Waiver, uninsured women losing MO HealthNet for Pregnant Women (Missouri's Medicaid Program for pregnant women) eligibility 60 days after the birth of their child will remain eligible for coverage of women's health services. The coverage continues for a maximum of one year any time Medicaid eligibility due to pregnancy expires. There is no income limit. Eligibility automatically extends following the current 60 day post -partum period. The participant must not currently have insurance that provides coverage for physician's services and hospitalization. The requirement that health insurance not have been dropped in the last six months does not apply.

Women in this category are eligible for a one year period for the following services only:

- Approved methods of contraception;



- Pap test;
- Pelvic exams;
- Sexually transmitted disease testing and treatment;
- Family planning, counseling, education on various methods of birth control, and;
- Drugs, supplies, or devices related to the women's health services described above, when they are prescribed by a physician or advanced practice nurse.

### Statutory Rape Prevention Programs

Law enforcement officers in the State of Missouri are mandated to receive 1,000 hours of training regarding sex crimes that includes extensive coverage of statutory rape. Because of their knowledge and training, the Department of Social Services (DSS) encourages the use of law enforcement to educate teen fathers, non-custodial fathers and young males participating in state sponsored or state supported programs. This resource is most beneficial to the programs established to address the reduction of out-of-wedlock births in Missouri that are wide spread throughout the state. This includes, but is not limited to, programs within the education system, Caring Communities, programs within DSS directed toward teens, and other DSS programs such as Child Support.

### Abstinence Education Grant Program

The Missouri Department of Health and Senior Services administers the Abstinence Education Grant Program (AEGP) to support teen pregnancy prevention strategies to reduce out-of-wedlock births. AEGP funds a media campaign that includes *Talk with Me* radio and television spots to encourage parents to talk with their kids about sex, abstinence, and other healthy decisions.

### Personal Responsibility Education Program

The Missouri Department of Health and Senior Services administers the Personal Responsibility Education Program (PREP) to support teen pregnancy prevention strategies to reduce out-of wedlock births. PREP serves adolescents ages 12-19 in some of the highest need counties of Missouri by providing evidence-based teen pregnancy prevention education programs which also include addressing adulthood preparation topics.

### Teen Outreach Program

The Teen Outreach Program (TOP) is administrated by the Department of Health and Senior Services to replicate one of the few rigorously evaluated programs proven effective in increasing school success and protecting youth from risk factors that contribute to teen pregnancy and other negative health behaviors.